

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, JUNE 4, 2009, 9:00 A.M., COUNCIL CHAMBERS  
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET,  
FLORENCE, SOUTH CAROLINA**

**PRESENT:**

K. G. "Rusty" Smith, Jr., Chairman  
Waymon Mumford, Vice-Chairman  
H. Morris Anderson, Secretary-Chaplain  
Mitchell Kirby, Council Member  
Russell W. Culberson, Council Member  
Johnnie D. Rodgers, Jr., Council Member  
J. Ken Ard, Council Member  
Alphonso Bradley, Council Member  
James T. Schofield, Council Member  
Richard A. Starks, County Administrator  
James C. Rushton, III, County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Carlie Gregg, Public Works Director  
Kevin Yokim, Finance Director  
Dusty Owens, Emergency Management Director  
William H. Hoge, Planning Director  
Ryon Watkins, EMS Director  
Robert Franks, IT Director  
Ray McBride, Library Director  
David Alford, Voter Registration/Elections Director  
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the June 3, 2009 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex, the Doctors Bruce and Lee Foundation Public Library and on the County's website ([www.florenceco.org](http://www.florenceco.org)).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting and recognized Celia Urquhart with Senator Lindsey Graham's Office.

**APPROVAL OF MINUTES:**

Councilman Mumford made a motion Council approve the minutes of the May 7, 2009 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

## **PUBLIC HEARINGS:**

The Clerk published the titles and the Chairman declared the public hearing open for the following:

### **ORDINANCE NO. 32-2008/09**

An Ordinance Authorizing Pursuant To Title 4, Chapter 1 Of The South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of An Infrastructure Financing Agreement Between Florence County, South Carolina And David C. Poole Company, Inc.

### **ORDINANCE NO. 33-2008/09**

An Ordinance To Declare As Surplus Property And Authorize The Sale Of A Portion Of Real Property Owned By Florence County And Designated As Tax Map Number 90089-02-027 (Lot "B"), And Other Matters Relating Thereto.

### **ORDINANCE NO. 01-2009/10**

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2009 And Ending June 30, 2010; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

## **APPEARANCES:**

### **PRESENTATION OF RESOLUTION**

Councilman Mumford made a motion Council approve a Resolution of Appreciation & Recognition to Dusan Fridl for His Contributions and Dedicated Service to the Lake City Community. Councilman Rodgers seconded the motion, which was approved unanimously. The Clerk published the Resolution in its entirety and Chairman Smith presented a framed Resolution to Mr. Fridl.

### **REPRESENTATIVES OF THE PEE DEE FEDERAL CREDIT UNION**

Sheila Derrick, Director of Marketing and Rosa Butler with the Pee Dee Federal Credit Union Appeared Before Council to Present a Check for the Florence County Animal Control Facility. Ms. Derrick presented Councilman Anderson with a check in the amount of \$1,250. Councilman Anderson thanked the Pee Dee Federal Credit Union for its contribution.

### **LLOYD V. FLORES, SR., MS. ED. – HOMELESS COALITION FOR THE PD**

Mr. Flores And Rev. Dr. Austin Watson Appeared Before Council To Solicit Some Funding Resource Support For The Amount Of \$10,000 Towards Its Six-County Homeless Assistance Program For The Pee Dee Area. Chairman Smith stated the request and information would be taken under consideration and dealt with at a later time.

### **DYSON CARAWAY**

Mr. Caraway Appeared Before Council Regarding Maintenance of Cato Road. (Cato Road is a partially paved and partially rocky road in Council Districts 5 and 6.) Mr. Caraway stated another resident, in the trucking business, was damaging the road with his truck. He requested the County address the issue with the other resident to rectify the situation. Chairman Smith requested County Administrator Richard Starks work with Mr. Caraway, the individual allegedly damaging the road, and Public Works Director Carlie Gregg to reach a resolution on this matter.

### **DUSTY OWENS, DIRECTOR – EMERGENCY MANAGEMENT**

Mr. Owens Provided A Brief Recap Of The Actions Taken By Florence County Emergency Organizations As A Part Of The Response To The Horry County Fire Of April 22-28, 2009. In response to a question from Councilman Kirby, Mr. Owens stated there were a lot of issues to deal with because of the various jurisdictional boundaries that were crossed and a number of after action reviews were conducted to compile documentation of actions that did not go well and how it could be improved, but overall the response went well.

### **WILLIAM H. HOGE, PLANNING DEPARTMENT DIRECTOR**

Mr. Hoge Provided A Presentation On The Impacts On Citizens And The County By People Working Without Building Permits.

## **COMMITTEE REPORTS:**

### **COMMITTEE ON ADMINISTRATION & FINANCE**

Chairman Smith advised that the Committee on Administration & Finance met on Wednesday, May 13<sup>th</sup> to discuss the fiscal year 2010 budget. He stated the County faced a dilemma largely due to a \$1.6 million cut by the State in the Local Government Fund and an increase of approximately \$300,000 in health insurance costs. The Committee initially recommended a 1% across the board cut in expenditures, set the Household Solid Waste Fee at \$58 and increase the General Fund millage by 2.2 mils. The Chairman stated if there were no objections by Council, the Committee would schedule another meeting, prior to third reading of the Budget Ordinance, to further discuss the matter.

### **COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING**

Committee Chairman Schofield stated the Committee met May 13<sup>th</sup> to discuss the items before the Committee and recommended approval of Ordinance No. 26-2008/09 for third reading and denial of second reading of Ordinance No. 30-2008/09. The other items were still being reviewed by the Committee

### **CITY-COUNTY CONFERENCE COMMITTEE**

Committee Co-Chair Bradley stated the Committee met on May 28<sup>th</sup> and he provided a recap of matters discussed at the meeting.

## **RESOLUTIONS:**

There were no resolutions presented or considered at the meeting.

## **ORDINANCES IN POSITION:**

### **ORDINANCE NO. 26-2008/09 – THIRD READING**

The Clerk published the title of Ordinance No. 26-2008/09: An Ordinance To Amend Sections: 30-30. Table III: Zoning Setbacks; 30-111. Development Standards For Unzoned Areas; 30-202. Table VIII Number, Dimension, And Location Of Permitted Signs By Zoning District; 30-246. Accessory Buildings And Uses; And Other Matters Relating Thereto. Councilman Schofield made a motion to approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 27-2008/09 – THIRD READING**

The Clerk published the title of Ordinance No. 27-2008/09: An Ordinance To Amend Section 30-30, Table III, Section 30-48 And Section 30-247 Of The Florence County Code Regarding Zoning Setbacks, Changes In Approved Planned Development Plans And Access To Property. Councilman Bradley made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 29-2008/09 – THIRD READING**

The Clerk published the title of Ordinance No. 29-2008/09: An Ordinance To Amend Section 30-29, Table II Of The Florence County Code For Revision Of The NAICS Code Reference For Personal Care Services. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 30-2008/09 – SECOND READING**

The Clerk published the title of Ordinance No. 30-2008/09: An Ordinance To Rezone Properties Owned By James M. And Christina N. Fender Located At 2506 Pamplico Hwy. And 2328 Dudley Drive, Florence County From B-3, General Commercial District To Unzoned Shown On Florence County Tax Map No. 00180, Block 1, Parcels 161 And 162 Consisting Of 2.17 Acres. Councilman Ard made a motion Council deny second reading of Ordinance No. 30-2008/09. There was no second to the motion. Councilman Ard withdrew the motion. Second reading of the Ordinance failed due to lack of a motion.

### **ORDINANCE NO. 31-2008/09 – SECOND READING**

The Clerk published the title of Ordinance No. 31-2008/09: An Ordinance To Amend Section 30-202, Table VII And Table VIII And Section 30-311, Definitions Of The Florence County Code For Incidental Signs. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion. Councilman Schofield made a motion to amend Ordinance No. 31-2008/09, Section Note H to Section 30-202 of Table VIII and also refer the Ordinance to the Committee on Public Service & County Planning. Councilman Anderson seconded the motion, which was approved unanimously. Second reading of the Ordinance as amended was approved unanimously.

## **PUBLIC HEARINGS:**

There being no signatures on the sign-in sheets, the Chairman closed the public hearings.

### **ORDINANCE NO. 32-2008/09 – SECOND READING**

The Clerk published the title of Ordinance No. 32-2008/09: An Ordinance Authorizing Pursuant To Title 4, Chapter 1 Of The South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of An Infrastructure Financing Agreement Between Florence County, South Carolina And David C. Poole Company, Inc. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 33-2008/09 – SECOND READING**

The Clerk published the title of Ordinance No. 33-2008/09: An Ordinance To Declare As Surplus Property And Authorize The Sale Of A Portion Of Real Property Owned By Florence County And Designated As Tax Map Number 90089-02-027 (Lot “B”), And Other Matters Relating Thereto. Councilman Kirby made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 01-2009/10 – SECOND READING**

The Clerk published the title of Ordinance No. 01-2009/10: An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2009 And Ending June 30, 2010; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 34-2008/09 – INTRODUCED**

The Clerk published the title of Ordinance No. 34-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By Thurman L. Graham Located At 1140 N. Matthews Road, Lake City From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00166, Block 31, Parcel 065 Consisting Of 1.268 Acres.

### **ORDINANCE NO. 35-2008/09 – INTRODUCED BY TITLE ONLY**

The Clerk published the title of Ordinance No. 35-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Re-Establish And Revise Florence County Procurement Policies And Procedures As Chapter 25.5, Procurement, And To Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto.

### **ORDINANCE NO. 36-2008/09 – INTRODUCED**

The Clerk published the title of Ordinance No. 36-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Ratify FY09 Budget And Grant Resolutions Previously Authorized By Council And Other Matters Related Thereto.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS:**

### **PEE DEE WORKFORCE INVESTMENT BOARD**

Councilman Bradley made a motion Council Approve The Recommendation Of The Pee Dee Workforce Investment Board For The Appointment/Re-Appointment Of Connie Ford, Carol Anderson, Cindy Bryant, Joyce Hill, and Robbie Hill To Serve On The Pee Dee Workforce Investment Board. Councilman Mumford seconded the motion, which was approved unanimously.

### **FLORENCE COUNTY MUSEUM BOARD**

Councilman Culberson made a motion Council Appoint Kevin Barth to serve on the Florence County Museum Board representing Council District 6, with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

### **SENIOR CENTER COMMISSION**

Councilman Anderson made a motion Council appoint Annie Brown and Mary Baker to serve on the Florence County Senior Center Commission, with appropriate expiration terms. Councilman Mumford seconded the motion, which was approved unanimously.

## **REPORTS TO COUNCIL:**

### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly Financial Reports Were Provided To Council For Fiscal Year 2009 Through April 30, 2009 As An Item For The Record.

### **MEMORANDUM OF UNDERSTANDING – COMMUNITY MUSEUM SOCIETY, INC.**

Councilman Rodgers made a motion Council Approve A Memorandum Of Understanding Between Florence County And The Community Museum Society, Inc., aka National Bean Market Museum Of South Carolina (Museum), Regarding The Use Of Local Hospitality Tax Funding To Support The Operation And Maintenance Of The Museum. Councilman Kirby seconded the motion, which was approved unanimously.

### **EMERGENCY MANAGEMENT DEPARTMENT**

#### **GRANT AWARD - S C BUDGET AND CONTROL BOARD**

Councilman Rodgers made a motion Council Accept A Grant Made In Accordance With Proviso 63.52 For The 2008-09 Appropriations Act In The Amount Of \$6,842.88 As Approved By The South Carolina Budget And Control Board To Cover The Service Contract For 800 MHz Radio System Costs For First Responder Interoperability For The Florence County Emergency Management Department. Councilman Culberson seconded the motion, which was approved unanimously.

## **EMERGENCY MEDICAL SERVICES DEPARTMENT**

### **AWARD BID #51-08/09**

Councilman Ard made a motion Council Award Bid #51-08/09 For The Purchase Of Ambulance Cots And Other Related Items To Stryker Medical, Portage, MI, In The Amount Of \$134,456.41 And Authorize The Service Contract With Stryker Medical For The Equipment In The Amount Of \$21,060.00. Councilman Bradley seconded the motion, which was approved unanimously.

## **PUBLIC WORKS DEPARTMENT**

### **AWARD OF BID #43-08/09**

Councilman Mumford made a motion Council Authorize The Award Of Bid #43-08/09 For The Extension Of Alex Lee Boulevard To R. E. Goodson Construction Co., Darlington, SC In The Amount Of \$155,173.25. Councilman Anderson seconded the motion, which was approved unanimously.

### **AWARD OF BID #45-08/09**

Councilman Kirby made a motion Council Award Bid #45-08/09 For The Rocking Of Cubie Road And Delosh Road To Weaver Company, Inc., Conway, SC In The Amount Of \$47,690.25. Councilman Rodgers seconded the motion, which was approved unanimously.

### **AWARD OF BID #46-08/09**

Councilman Rodgers made a motion Council Award Bid #46-08/09 For The Rocking Of Brown Road And Claude Road To Weaver Company, Inc., Conway, SC In The Amount Of \$90,324.25. Councilman Culberson seconded the motion, which was approved unanimously.

### **AWARD OF BID #47-08/09**

Councilman Bradley made a motion Council Award Bid #47-08/09 For The Resurfacing Of Ivy Lane And Magnolia Drive To Weaver Company, Inc., Conway, SC In The Amount Of \$25,192.00. Councilman Mumford seconded the motion, which was approved unanimously. In response to a question by Councilman Bradley, Mr. Starks responded that an anticipated timeline was stated in bid documents but if Council included a specific tight timeline it could potentially increase the cost of the project. Mr. Starks stated staff would further review the option of including a statement that would not potentially increase costs for the project.

### **AWARD OF BID #50-08/09**

Councilman Rodgers made a motion Council Award Bid #50-08/09 To Place Crushed Asphalt On Moulds Road To Palmetto Corporation, Conway, SC In The Amount Of \$35,098.00. Councilman Culberson seconded the motion, which was approved unanimously.

## **TAX ASSESSOR**

### **LATE FARM APPLICATIONS**

Councilman Mumford made a motion Council Extend The Deadline For Application Consideration; Authorize Parcels To Be Considered; And Close The Filing Deadline. Councilman Kirby seconded the motion, which was approved unanimously.

## **TREASURER'S OFFICE – DELINQUENT TAX DIVISION**

### **QUARTERLY REPORTS**

Pursuant To The Policies Approved September 17, 1998 And Amended June 5, 2003, The Florence County Treasurer's Office, Delinquent Tax Division Provided Council With Quarterly Reports On Properties Coded "I" For Investigation And Tax Notices Processed As Nulla Bona As An Item For The Record.

## **OTHER BUSINESS:**

### **INFRASTRUCTURE FUND**

#### **RESURRECTION RESTORATION CENTER FOR THE HOMELESS**

Councilman Bradley made a motion Council Approve The Expenditure Of Funds From Council District 3 (And Other Districts As Annotated On The Approving Memorandum) Infrastructure Funding Allocations In An Amount Approximating \$18,000 To Assist The Resurrection Restoration Center For The Homeless With Repairs And Replacement Of Flooring And Food Preparation Equipment. Councilman Mumford seconded the motion, which was approved unanimously.

### **UTILITY SYSTEM FUND**

#### **HOWE SPRINGS FIRE DISTRICT**

Councilman Mumford made a motion Council Approve The Expenditure Of Funds From Council District 4 Utility System Funding Allocation In An Amount Up To \$2,670 To Assist The Howe Springs Fire District With Hooking The Station Up To City Water. Councilman Culberson seconded the motion, which was approved unanimously.

#### **SOUTH LYNCHES FIRE DEPARTMENT**

Councilman Rodgers made a motion Council Approve The Expenditure Of Funds From Council District 5 Utility System Funding Allocation In An Amount Up To \$2,550 To Assist The South Lynches Fire Department With Correcting An Ongoing Sewer Problem At The Coward Fire Station. Councilman Kirby seconded the motion, which was approved unanimously.

#### **EBENEZER PARK**

Councilman Anderson made a motion Council Approve The Expenditure Of Funds From Council District 9 Utility System Funding Allocation In An Amount Up To \$20,000 For Progress Energy To Install Underground Relocated Service Lines To The Ebenezer Park Land Parcel. Councilman Mumford seconded the motion, which was approved unanimously.



**The following item was approved as an addition to the agenda:**

**McIVER ROAD**

Councilman Mumford made a motion Council Approve The Expenditure Of Funds From Council District 7 Utility Funding Allocation In An Amount Up To \$6,788.00 To Install 336' Of 24" RCP Pipe At 652 McIver Road And 698 McIver Road. Councilman Culberson seconded the motion, which was approved unanimously.

**EXECUTIVE SESSION:**

Councilman Schofield made a motion Council Enter Executive Session To Discuss Contractual Matters Concerning Economic Development, Contractual Matters Concerning Pending Real Property Transactions And Pending Legal Matters. Councilman Mumford seconded the motion, which was approved unanimously.

Council entered executive session at 10:03 a.m. Council reconvened at 11:07 a.m. Councilman Mumford did not return to the meeting from Executive Session.

**LEASE AGREEMENT - T-MOBILE TOWER**

Councilman Ard made a motion Council Approve A Lease Agreement With T-Mobile South, LLC For Space On Florence County's Communications Tower Located In Lake City In The Monthly Amount Of \$1,800 For An Initial Term Of Five Years. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCE NO. 37-2008/09**

The Clerk published the title and the Chairman declared Ordinance No. 37-2008/09 Introduced By Title Only: An Ordinance Authorizing The Sale Of Property Owned By Florence County Designated As Tax Map Nos. 90087-08-003, 90087-08-004 And 90087-08-005 To LIBRIS Redevelopment, LLC, And To Authorize The County Council Chairman To Execute An Option To Purchase Real Estate, Subject To County Attorney Review.

**US 76 WIDENING**

Councilman Kirby made a motion Council Amend The Highway 76 Scope Of Work To Brockington Street, Timmonsville. Councilman Anderson seconded the motion, which was approved unanimously.

There being no further business to come before Council, Councilman Culberson made a motion Council adjourn. Councilman Kirby seconded the motion, which was approved unanimously.

**COUNCIL MEETING ADJOURNED AT 11:10 A.M.**